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SUGGESTIONS

ON THE ORGANIZATION

OF

A SYSTEM OF COMMON SCHOOLS,

ADAPTED

TO THE CIRCUMSTANCES AND STATE OF SOCIETY IN CANADA,

BEING A SERIES OF THREE LETTERS,

ADDRESSED TO

THE HONORABLE JOHN A. MACDONALD,

BY

A PROTESTANT.

F1028
1857P

TO THE HON. JOHN A. MACDONALD.

No. I.

SIR,—For the same reason as that stated in my former series of letters, I again have the honor of addressing you on the subject of Common School education. In that series I undertook to show that the system in Western Canada is constructed on a false basis, and is therefore deficient and, to a majority of the people, unsatisfactory and repulsive. I now propose to submit what I consider ought to form the governing principles of a Provincial system, the conditions to be observed in its organization, and the means to be employed for its permanent stability.

The duty of government to promote and control public education rests on two assignable grounds; first, the necessity of accompanying the progress of national civilization by moral and humanizing agencies; and second, the inadequacy of voluntary efforts to perform this office. Experience has demonstrated that the higher seminaries of learning no less than the lower, when left to depend on their own unaided means of support, have uniformly diminished in number, and thereby become limited in the range of their usefulness. In the lower walks of life this is conspicuously manifested by the number of persons recorded, in the census reports, as unable to read and the much greater number unable to write. But while it is the duty of government to provide facilities for humanizing the progress of national civilization both in the higher and lower education of the people, the obligation is rendered the more imperative in reference to the inferior class of schools, by reason that the circumstances of parents, dependent for their subsistence on arduous bodily labor and the bringing up of large families on uncertain and precarious means, often necessarily constrain them to neglect parental duties of whose obligation they are in most cases too painfully conscious.

Public education being, thus, a State necessity, an important duty is imposed on government to provide, not only means, but to exert its best energies to see that the means are the right kind, that they are calculated to accomplish the object for which public schools are instituted, and that they are capable of a general application to all sections of the country and of a general acceptance by all sections of

the people. The chief requisite in a public and national system is that it corresponds and is in harmony with the form of government, the political institutions and religious feelings of the community for whom it is constituted. It is evident, if, in modeling a system, these active and controlling elements of society are disregarded or not allowed their full scope, that perpetual jarring and discordance of the parts will be experienced in all attempts to reduce it to practice. At the close of the French revolutionary war, in 1815, when Belgium became united with Holland, forming the kingdom of the Netherlands, steps were immediately adopted by the government of Holland to impose the Calvanistic Dutch School System on the Catholic population of Belgium. The contest which ensued and the manly resistance offered by the Catholics, during the twenty-nine years of this persistent, long and fruitless attempt of one of the worst examples of Protestant intolerance, only ended with the expulsion of the Nassau dynasty from Belgium in 1830; when under the new constitutional monarchy then formed, freedom of instruction of creeds and of all religious communions was established with constitutional guarantees; and since which date Belgium has taken its place among the best educational nations in Europe. No greater error can be committed, by a government, than to suppose that it can do violence to the settled convictions of a large section of the people without entailing prejudicial results that reflect, to at least an equal extent, in some other way, on the public interests; and no stronger proof of legislative incapacity can be evinced than the grafting of a dominant and irresponsible department of the public service on a free constitution, every other department of which is constructed on the principle of responsibility to the popular electoral voice.

The present aspect of educational affairs, in this Province, betokens an approaching crisis, which seems destined to completely revolutionize the whole fabric of public education. Not alone the Common School department, but also the Collegiate; for the same dominant influence which has afflicted the one has been engaged as steadily to undermine the other. The sentiment at present gaining ground in the Canadian mind is, that Common Schools, Grammar Schools and Colleges, should be released from unnecessary restraint, and should be subject to Government interference no further than is necessary to ascertain the observance of the conditions on which public aid is granted. The affiliation of religious denominational Colleges with a spurious and non-religious University, is apparently as repulsive and as great a piece of Gothamite patchwork, as either the junction of Grammar and Common Schools, under the conjoined management of Grammar and Common School Boards of Trustees, or an infidel and republican Common School System which religious people in this British Province are compelled by law to uphold. With the process of school tinkering which has

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been going on for several years and which has been visited on all sides by ridicule and contempt, the public mind seems to be at last surfeited, and we now appear to be on the eve of some great change for which public opinion is fully prepared. In view of this critical stage of our educational history, it may not be out of place to take a glance at the materials with which the Government will have to deal, at the object which it ought to keep steadily in view, and the machinery best fitted as well for the work to be accomplished as to insure general satisfaction.

As the object of public elementary schools, with which I am at present more immediately concerned, is the promotion of moral and industrial habits among the great mass of the laboring population, care will be required to adjust the means to be employed so that they shall exactly serve that specific object; and equal care will be necessary to guard against misapplication of these same means, through misapprehension of what is or is not conducive to the desired end. Above all things the Common School must be regarded as an instrument through which the State aims at the prevention of ignorance and poverty, and their reflex consequences on the interests and well being of the State itself. The contrary mistaken notion to which I have formerly adverted, prevalent in America, that the duty of the State is to educate all for the purpose of making enlightened citizens, and that every child born into the world is entitled to an education and has a claim for a free education at the expense of the State, has been prolific, as we have seen, of the worst effects here as well as in the United States. The erroneous notions produced, by a false system, on the rising generation, have operated to corrupt the minds of young men, the sons of farmers and others, and to seduce them from following the professions of their parents, to seek, what they esteem genteel employment in towns and cities. Since the present system has been in existence the scarcity of agricultural laborers has gradually become more and more a subject of complaint, while the influx of young men to Commercial, Railroad and Bar-room pursuits is a sad commentary on the *universal system of education* which Lord Elgin told the people of Glasgow was "elevating our intellectual standard to an elevation never before attained by any community." I was told last week by a person, who, seeing an advertisement of employment for about a month, to make up accounts, applied for the situation, that in the space of about three hours from the appearance of the newspaper notice, upwards of seventy applications had been made. Some time before, I had a letter from a young man in the country soliciting my intercession to procure him a situation on one of the Railways, and was about to apply to one of the Directors of the Grand Trunk Railroad Company, for that purpose, when an editorial of the *Leader* newspaper made the announcement that

over four hundred applications of a similar nature were then in the hands of the Directors. Is such a circumstance to be looked upon with unconcern ? Is it not an indication of a dreadful social distemper whose visible effects remain yet to be developed ? Yet this is the unavoidable result of our present Normal School management. The young men who have attended six months at that institution and leave it with certificates of qualification to teach go forth into the country with the most mistaken estimate of their own importance. They open schools wherever accident places them, and by teaching and familiar intercourse combined with the example of nomadic habits, for they seldom remain longer than twelve months in one place, they soon contaminate the minds of the older pupils, and also of young men who may reside in the neighborhood, by their doctrines of enlightened citizenship; and, thus, these pupils soon begin to learn to disdain honest labor. Herein we see that the very evil against the existence of which the Governments of Europe strive most energetically to provide, and have studiously framed their Normal School Regulations so as most effectually to prevent, is, with us, encouraged and fostered by direct Legislative sanction. The instruments through which our Canadian Normal School operates to perpetrate this wide spread evil are not alone the young teachers who carry certificates, but all those besides who have had their industrial habits corrupted by the discipline of that institution while within its walls; and also the three thousand and more promiscuous teachers scattered over the Province, who imbibe the doctrines of enlightened citizenship through the insidious poison contained in the Journal of Education and the Annual Report. Here, on the contrary, as in Europe, the great aim of Government in establishing elementary public schools should be the preservation of the natural and normal relations of society. But what can be more directly subversive of this aim or what more detrimental to national prosperity, than the institution of artificial arrangements whose tendency is to damage the agricultural interest, by diverting labor from it and curtailing the amount of that labor. Setting aside the argument on national grounds, if we compare the morals and the amount of human happiness which are the lot, on the one hand, of those who are contented to fill the sphere for which nature had intended them, and on the other, of those who had been seduced by bad social arrangements, to seek a living in cities; the contrast, if examined minutely, will show virtue, domestic happiness, health and independence, opposed to conventional vice, Bar-room and Saloon associations, loathsome diseases, debt and dishonesty with the prospect looming in the distance of a wrecked constitution and a beggarly exit from the stage of life. Take the list of insolvent debtors, engendered by Mr. Freeman's Insolvent Debtor's Act, as

furnished in the *Gazette*. Are they farmers? No. Are they traders? Yes. And yet a cursory observer only sees a small part, or perceives only one aspect of the insolvent picture. The ramified effects of those insolvencies are infinite. The amount of legal business, the unjust confessions of judgment, the false assignments, the attempts at fraud, the false swearing, the injury suffered by connections and dependents, and the loss to thousands indirectly affected by them, are things of which, in gross or in detail, we generally entertain a very inadequate conception. They are, however, the consequences, and it will be found so on the examination of individual cases, of a departure from the path of honest industry to commercial adventures for which those employed in them were not adapted. Therefore, both on national and individual grounds, as well for the welfare of the individual members of society as for the protection of society itself, the duty of the Legislature of Canada in framing a new school law will be to make it subservient exclusively to this moral and industrial object.

Having defined the object to be kept steadily in view, while preparing a new law for the organization and management of public elementary schools, I now pass on to the consideration of the means by which that object is to be attained. And the first consideration is, the nature and composition of the governing bodies. In this, as in the former case, we must submit to be guided by experience. In Europe, under all the different forms of political government, we find that, uniformly and without exception, the government of the elementary common schools is placed, both theoretically and practically, in the hands of the general governments, the municipalities and the clergy. These are the three governing bodies. The general government makes the law, and administers it in so far as it has a general bearing on the appropriation of the general school fund, and the character and quantity of religious and secular instruction prescribed by law. The municipalities have complete control over all the schools within their respective jurisdictions, in local assessments, the erection and management of school houses, the selection of teachers and the appointment of local superintendents. The Clergy do not occupy the same distinctive sphere of a united authority, such as a general or municipal government, and therefore have not, like them, an independent action. They are, however, recognized by the law as the guardians and exponents of religion and public morality, and by virtue of this recognition they co-operate with the general and municipal governments to protect and supervise the religious character of the schools and of the teachers.

However desirable it may be to follow the successful experience of other countries in working out the details, still there are diversities of circumstances which require a suitable modification of the arrange-

ments existing in these countries. Among the greatest of these diversities is the independent tone of sentiment, which characterizes equally all classes of people in Canada, as well as the population of America. There is in this country no peasant class. And it is equally exempt from the opposite extreme of aristocratic wealth, influence and dominancy. Therefore from the difference in the nature of society, arrangements that would suit the remains of feudal manners and associations in the old world, would be badly adapted to the large amount of freedom which we enjoy. These and similar considerations mark the propriety of leaving education perfectly free and unfettered, and of limiting Government and municipal interference and control simply to the furnishing of facilities by which the people can organize schools to suit their various tastes. Now, notwithstanding that it is the duty of the government to provide and regulate elementary education, it would perform that duty very imperfectly if it did not make choice of the means most likely to answer the purpose. And that purpose cannot be said to be properly answered, unless the whole of the children of school age are reported on the school roll. Nothing is more easy than to declare the school in a section free, under a mistaken apprehension that it will tempt parents to send their children ; and yet to find that not one third of the children attend it. Or school districts may be so divided as to defeat the object for which the division is made, because it is not judiciously made and is not in accordance with the wishes of many parents who are affected by it. Our experience is conclusive, that the dissensions, as reported by the Local Superintendents, arising from so many different causes, may be all traced to that most absurd principle of the present Common School Law, which prescribes uniformity in the mode of organizing and managing the schools. The law is positive on points which should be left to the discretion of municipalities : The Trustees enforce it simply because it is law ; and a state of disruption ensues which continues from one year to another without intermission. All these consequences are produced by the Government taking upon itself to do, and authorizing the local school authorities also to do, what could be better done by the people themselves if left to their own free action. While, therefore, the control of the Government and of municipal corporations should be confined to what cannot be done by voluntary associations, in all other respects the greatest latitude and freest scope should characterize the provisions of a general school law.

There is one other point which requires to be noticed in these preliminary considerations, before proceeding to the practical details, or what may more properly be termed the mechanism of the system.— That is, the nature and extent of the religious element. As public morality rests as much on the influence of ecclesiastical authority as

on the teaching of the Scriptures, it becomes a concern of the first importance that the clergy of all denominations should participate in the work of education. Indeed without this participation it is not possible that any system can ever become popular. Now how is the co-operation of the clergy to be secured? Only in one way and on one specific condition; namely, that what is truly and properly religion shall be taught in such a manner as each clergyman or each denomination chooses to prescribe. Anything short of this, notwithstanding that it might chime in with the notions of a certain class of extemporized preachers, will never meet with the acquiescence of the great ecclesiastical corporations or the congregations over which they preside. In the arrangement of the religious element we will be quite safe to follow the example of the European elementary schools, and make the religious denominational character of each school conform to the denominational peculiarities of the parents whose children are to be educated therein. There are some things that adjust themselves in accordance with natural laws, without any extraordinary effort of the mind to discern the adaptation. Such is the arrangement that Government should appoint the District Inspectors, because they are responsible for the performance of their duties to Government only. Or for a similar reason, that the Local Superintendents should be appointed by the Municipal Corporations. And so it is with the religious instruction given in the school, that it should correspond with the religious belief of the parents whose children are educated there. If the differences of religious creed, in the same school section, are assumed as an objection,—then enlarge the section or make the school divisions dependent on the voluntary denominational combinations of the different religious bodies, so that each school shall have a specific religious character; which is the best guarantee, indeed the only guarantee, that the clergy and congregations, connected with it, will become collectively and personally interested in its prosperity.

With Protestant, Catholic, Jewish or other distinctions, the Government can have no concern. Its duty, in pursuance of the object to be served, is to secure for the children of the humbler classes a religious and secular education, in the only way and by the only means that is possible to secure it, namely, by making it acceptable; and notwithstanding that we are a Christian people and all our laws are based on Christianity, still if there are those among us who from conscientious belief profess any other than the Christian religion, they are entitled to the same educational privileges on the ground of state policy, if on no other; for it ought to be the maxim of our Government, as it is of the older and therefore more experienced governments of the old world, that it is better to encourage Judaism than indifferentism, better for children to be brought up under some species of ecclesiastical control, even though not Christian, than that they

should be allowed to go forth into society, destitute of all moral restraint.

The mechanism of a Common School system, suitable to the circumstances of this country, I shall divide in two parts. One that which naturally comes within the jurisdiction of the municipal coporations. The other, that in charge of the General Government. In this order I shall dispose of the subject in two more letters.

I have the honor to be, Sir, &c., &c.

A PROTESTANT.

Toronto, 24th March, 1857.

No. II.

Sir,—I now proceed to the consideration of the administrative machinery by which the work of common school education is to be carried on. And first of that part which belongs to the Municipal Corporations. These Corporations should be constituted independent authorities, in all matters connected with the local management of schools, by virtue of the fiscal school jurisdiction which they exercise. As the members of a Municipal Council are elected by the suffrages of a municipality to protect and promote its general interests; its power ought therefore to be supreme within the municipality in every act of assessment and expenditure for local purposes. And so it was previous to the Common School Act of 1850. That Act created an *imperium in imperio*. It constituted a Municipal Board of School Trustees in each municipality independent of the Municipal Council, and invested it with a fiscal power, by which it has been enabled to control the Council in some of its most particular and necessary functions. That Act was predicated on the assumption that a Municipal Council was too cautious, about hazarding a large expenditure, where there was no certainty of the results; and the object was to overrule the disposition of the Council, by compelling the Council to do what it did not want to do, and what was considered at the time, and has been too truthfully verified since, was an extravagant and useless expenditure of public funds. But pray, why, was this anomaly grafted on our municipal system of local self-government? What right had the School Law thus to step in and violate the essential principle of the Municipal Law in force prior to the Act of 1849? The answer is supplied in Dr. Ryerson's Report for 1850, at page 18, where we are told, this arrangement is the same as that existing in the cities and towns of the United States, and that it has worked most efficiently in these cities and towns. Now, any one who knows anything of United States School Reports cannot help knowing that the measure of common school excellence, as of everything else, is determined by the number of dollars which it can realize. The Municipal Councils in the United States, if they had been left to their own independent action, would never have made the school fund sufficiently imposing, and, therefore, never could have secured for the schools the only feature calculated to make them harmonize with the pecuniary public sentiment. We all know that the chief feature of the United

States School Reports is the large amount of dollars paraded in their pages, and also, that the comparative conditions of the schools of different States is estimated by the comparative excess or diminution of the amounts of school monies which these States are capable of raising. In 1849 and 1850 the Canadian Municipal Councils refused to make the amount of the school assessment a criterion of educational progress. Many of them believed that the attempt to make this a criterion was a fraud practised on the country, as it has turned out to be. They, therefore, very properly and in accordance with their duty as guardians of the municipal corporate interests resisted it. But as it was the criterion in the States, from whence the rest of the Canadian School System had been imported, there was no alternative but to permit the Importer, on the faith of his profession and assurances, to have his own way in this particular as he had been allowed in every other. The measure of 1850 became law. Independent Boards of School Trustees were thereafter elected by household suffrage. These Trustees, invested with unlimited powers, have since obliged the Municipal Councils to assess for whatever amounts they have ordered. The school fund has consequently swelled to the desired dimensions. And similarly as in the United States, every successive annual report parades the astonishing increase of the aggregate school monies, as a criterion of the unprecedented progress of education.

But there is an important principle involved in the right of the General Government to create, in a municipality, a power greater than the Municipal Council. It is clearly a violation as I have said, of the true theory of self-government, which makes the council supreme in the assessment and expenditure of monies for local purposes.

Neither can it be justly assumed that a Board of School Trustees elected for a specific object can be equally impartial with a Council acting for the general good. If such assumption could be vindicated, it would follow that a special board for each department of the business of a municipality should be instituted; otherwise there is no satisfactory reason why a school board any more than a street board or a license board should be independent.

The greatest objection however to an Independent School Board is that its members are generally of an inferior standing both in education and respectability, and, with rare exceptions, could not obtain a seat in the Council. If a position in society and an acquaintance with general municipal business are to be considered recommendations in a public functionary, then is the Council more competent than a Board of School Trustees; for it is composed, not of theorists who are practically engaged in illustrating the falsity of their own principles, but of shrewd, intelligent business men, many of them holding the first rank in the community. On this head, and in order to shew how different and how much more correct is the idea of municipal self-government

in the old world, I extract the following from M. Victor Cousin's report to the French Government in 1831, when he was occupied along with M. Guizot, in digesting the system of primary schools which now exists in France; and I may remark that both Cousin and Guizot adopted nothing and recommended nothing, according to their own acknowledgement, the safety and success of which had not been fully verified by the experience of other countries:

"The most difficult point in law on primary instruction is the determination what are the authorities to be employed. Here also let us consult facts. The French administration is the glory and the master-work of the Imperial Government. The organization of France in *maires* and *prefectures*, with municipal and departmental councils, is the foundation of government and of social order. This foundation has stood firm amidst so much ruin, that prudence and policy seem to point to it as the best and safest prop. Moreover, this organization has just been reformed and vivified by rendering the municipal and departmental councils elective and popular. Thus the French administration unites all that we want—activity and popularity. The administration, then, is what you must call to your aid. Recollect, also, that it is these local councils that pay, and that you cannot fairly expect much from them unless they have a large share in the disbursement of the money they have voted. These councils are chosen out of the body of the people, and return to it again; they are incessantly in contact with the people; they are the people legally represented, as the *maires* and the prefects are these councils embodied, if I may so say, in one person for the sake of activity and dispatch. I regard then, as another incontestible point, the necessary intervention of the municipal and departmental councils in the management of public instruction. *As there ought to be a school in every commune, so there ought to be for every communal school a special committee of superintendence, which ought to be formed out of the municipal council, and presided over by the maire. I shall perhaps be told, that men who are fit to conduct the business of the commune are not fit to superintend the communal school. I deny it: nothing is wanted for this superintendence but zeal, and fathers of families cannot want zeal where their dearest interests are concerned.*"

The only reason assigned for the infringement of our municipal law is, that it is so infringed in the cities and towns of the United States. So says Dr. Ryerson; and to this dictum we have all bowed down with humble submission. We certainly seem to have been a very enlightened people, to have been so successfully duped! The fear is, our population has been in a great measure infidelized and republicanized by United States importations, without being in the least sensible that such a process was going on. And it is a sad reflection that, at the present day, so many should be found unconsciously yielding submission to the same deceptive influence. Notwithstanding, however, that our municipal law has been violated, that in no way affects the validity of the principle that the Council should be supreme, and should exercise an undivided jurisdiction within the municipality in all matters of local concern.

The County, Town, and City Councils are the three corporate powers into whose hands the whole local control should be placed. Each Council could appoint a special committee on education from its own members, and also a Local Superintendent who should act as secretary. The County Council should superintend and regulate the schools in the townships. For many reasons it is the proper authority. In the first place, because every township and incorporated village is represented in the county council by the town reeve. In the second,

because the County Council is a more intelligent and influential body than the Township Council, and less liable to be acted on by local circumstances, interests and prejudices. And in the last place, because township divisions have been found exceedingly detrimental to the formation of proper school limits. The complaints on this latter point are of a very serious nature.

The school fund should be derived from three sources, namely, the Government grant, the municipal assessment and school fees; of which the Government grant and school fees should be appropriated exclusively to pay the teachers' salaries; and the municipal assessment to pay for the renting or building of school houses.

The school buildings and their first outfit should be all paid for by the municipality, from the proceeds of the annual assessment; also a residence for the teacher, or its equivalent in money. In the townships particularly, the teacher ought to have a house and garden plot, and everything should be done to secure his permanent residence in one place. The school houses may be either rented, or may be erected on sites purchased for the purpose, at the option of the municipality. There can be no difficulty in procuring suitable plots of ground, in the way of gift, in the townships, as every one is anxious to have the school as near his own door as possible, and for that reason the ground is always easily attainable.

The organization and management of each school should be left to the inhabitants of the municipality. The heads of families should be left perfectly free to form what combinations they choose If this rule is adopted, it will be found that the choice will partake of a strictly religious character. And this is precisely as it should be. If a sufficient number of heads of families desire to have a combined religious and secular school, the Council would be acting very injudiciously if it denied them the means of establishing one. Neither the Council nor General Government can with propriety interfere, to enforce exclusively secular instruction. Because such a proceeding would be subversive of the religious and moral aim of popular education; in one way, by discarding the moral element, and in the other, by creating dissatisfaction and making the means unacceptable. It is necessary, here, to recollect that the object of popular education is to make a moral as well as a secularly educated people. And as good morals cannot exist independent of religious impressions, that the duty of the State and of Municipal Councils is to promote religious instruction, as well as secular, in the Common Schools. Moreover, a national school system has for its object, not the attendance of a small fraction of the children of school age, as in Toronto, but of all who require instruction. For these reasons, and to realize these objects, the schools must be made acceptable, and

hence the necessity of the heads of families being left to make their own voluntary arrangements. We are to recollect also that a national system is not intended to make Protestants. Neither is its object to make Catholics. The Municipal Council can have nothing to do with this or that particular profession of faith. Its special concern should be the protection of the public morals, by means of all available instrumentalities, whether Protestant or Catholic. If numbers of the Protestant poor are ignorant, and will not receive instruction except through a Protestant channel, by all means let them be accommodated. So that they become possessed of a proper education, it is of little consequence through what particular medium they prefer to receive it. Similarly with the numbers of the Catholic poor, who can neither read nor write, but who would make better subjects and better citizens if endowed with the simple rudiments of learning which are taught in a primary school, would it be prudent, or would it be carrying out the aim of a public school system or the intentions of the Legislature, to withhold instruction because they refuse to accept it in any other than a Catholic garb? Certainly not.

As religion should form an element of instruction, and in order to secure this it is necessary to secure the co-operation of the clergy and congregations; and as the only way to do this is to make the organization and management of the schools acceptable to them, it is therefore indispensable that each school should have a specific religious character; and for this reason, and in accordance with the constitutional law of majorities, the religion of the school should be that of the majority who support it. When a mixed population of Protestants and Catholics is sufficiently numerous, each should have a separate school, or schools, proportioned in size or number to the probable or prospective average attendance in each. If any other Protestant denomination is sufficiently numerous to support a school it should have one on the application of a determinate number of the heads of families. As the religion of the school should be that of the majority who support it, the management should be in the hands of the clergyman and religious congregation of that majority; an exceptional provision being made, that no child of another religious persuasion shall receive or be present at the religious lessons or exercises, if the parents object; and also, that poor children, whose parents are unable to pay the school fees, shall be admitted free of charge.

A Board of examiners would be required in each municipality, to examine the qualifications of teachers, and for the granting of certificates. It should consist of the School Committee of the Council, the Local Superintendent and the Government Inspector, with the Warden or Mayor presiding.

The duties of the School Committee would be to ascertain the amount of assessment required, for the current year, for school purposes; as well the equivalent of the Government grant for teachers' salaries as the fund for school buildings: To receive applications for the opening of schools: To rent or build and keep in repair the school houses of the municipality, as it may see fit: To pay the teachers their portions of the Government grant and the assessed equivalent: To establish and manage an Industrial School Reformatory: To receive and examine the reports of the local managers of the Common Schools: And to prepare an transmit annually to the Minister of Public Instruction a correct report of the state of the schools in the municipality, signed by the Warden or Mayor.

The duties of the local school managers should be first, to appoint a Secretary, who should keep a record of the proceedings of the managers, and fill up all blank returns to the School Superintendent and to the Government Inspector, from a book or register of the daily transactions of the school; the teacher might act as Secretary. Second, to choose and engage a teacher who has passed the Board of Examiners and possesses a certificate of competency. Third, to see that the quality and quantity of secular instruction, prescribed by law, is supplied. Fourth, to see that the school regulations are properly carried out, with respect to cleanliness, regularity, and general moral supervision of the pupils while in school and when absent from school. And in the last place, to report annually to the Warden or Mayor the condition, progress and prosperity of the school; such report to be signed by the clergyman of the congregation.

This is a rough outline of what, in my opinion, should constitute the principal features of that part of the Common School Law applicable to municipalities. Its chief recommendation, it will be perceived, consists in relieving the Councils and Committee of Councils from the difficulties and perpetual strife consequent on their otherwise necessary interference with the religious arrangement of the schools; and leaving the organization of each school to form itself by a natural process of development. While the Committee of Council with its Secretary the Local Superintendent, and the District Government Inspector, would examine the qualification of teachers and grant certificates of qualification; it would in every other respect have its duties confined to finance, for which it is thoroughly competent. Its simplicity is another recommendation, by no means an insignificant one when we take into consideration the endless complaints on the indefiniteness of the present law, its conflicting clauses, the vast number of appeals from school sections to have special clauses construed, and the frequent reference of the Chief Superintendent himself,

to the judicial authorities for expositions of the letter of the law. It would conceal no loop-holes for the exercise of clerico-political craft; supply no facilities for covert and dishonest strategy; and spread out no complicated cobweb to favor the personal schemes and theoretical legerdemain of any public officer.

I have the honor to be, Sir, &c., &c.

A PROTESTANT.

Toronto, 31st March, 1857.

No. III.

Sir,—I have already remarked that the chief requisite of a national system of education is its correspondence with the political institutions and religious feelings of the community. The principle on which our Municipal Councils are responsible to the inhabitants of the municipalities, and the advisers of His Excellency the Governor General to the people, therefore, require that the fiscal power and the patronage connected with it of our Common School System should be, in a similar manner, under popular control. And thus, in conformity with the general principle of responsibility, on which the different parts of the Government are constructed and related to each other, the supervision and management and the whole control of the schools should be divided between the Municipal Councils and the General Government, the only two legitimate centres of all fiscal power and patronage. I have also said that an independent Board of Trustees within a Municipality is an *imperium in imperio*, a positive violation of the principle of municipal government. What else is an independent Chief Superintendent within the jurisdiction of the General Government than an independent sovereignty; a power in the state capable of controlling the Ministers of the state, and holding in *terrorem* both the Governor General and his advisers. The argument is self-convincing, that the same rule which makes an Independent Board of Trustees, incompatible with the duties and functions of a Municipal Council, is applicable to the power, patronage and irresponsibility of a Chief Superintendent, in influencing and overawing the action of the General Government. We all know what the power is which is possessed by every Board of Trustees, that it can demand whatever amount of money it chooses, without limitation, and can squander or do what it chooses with said money; the Municipal Council being obliged to assess and collect in obedience to the demand, having no say either as to the amount or its appropriation. Apparently, the power of the Chief Seperintendent is different only in this, that the amount is fixed by law and the purposes to which it is applied are specific. But, in reality, his power is no less practically than in principle much greater, inasmuch as, besides the nominal limits of his jurisdiction, the institution of Independent Boards of

Trustees is so devised as to make these bodies second his purposes and acquiesce in his decisions. The present constitution of the Boards of School Trustees seems to have been designed with a view expressly to sustain the power of the Chief Superintendent. In like manner the principal clauses of the Common School Act, if examined carefully, will be found to aim at securing this same object. However, in order to understand exactly the nature and extent of the unconstitutional power which the Chief Superintendent is able to bring to bear on the Governor General, on the Ministry and on every Member of the House of Assembly and Legislative Council, it is necessary to analyze the different sources of that power; and to do this we must first go back to 1850, and review the motives by which its concoctors were influenced.

In the first place, the exorbitant patronage and unconstitutional power here referred to, arose out of two elements. One, the ambition of Lord Elgin to acquire popularity. The other, the influence at that time of Dr. Ryerson over the Methodist Conference, and as a popular agitator. The part played by Lord Elgin is not yet properly estimated; but, as the instrument through whom and by whom the rights of the Municipal Councils and the General Government were bartered away and sold for a certain measure of Common School popularity, we are justified in imputing to him, and to him alone, all the blame. To him we are indebted for the legacy of Independent Boards of School Trustees and an almighty Chief Superintendent. Dr. Ryerson, in so far as personal considerations and a desire to improve his private fortune, coupled with the somewhat excusable vanity of being considered a Canadian educational Goliah, may be said to have acted as any unscrupulous person would have done if placed in his circumstances. Perceiving the object of Lord Elgin's ambition, and also the suitableness of the position of each to exchange mutual advantages, he embraced the opportunity not only to secure patronage and its emoluments, but to intrench himself and fortify his official position so as to be able to intimidate and to act defensively against the Legislature, whenever it should so happen that his individual aspirations might require the exercise of such intimidation or defensive action. Now the method which he adopted to intrench and fortify himself, and by which he now exercises a power of intimidation over the Legislature, is that which I am desirous to show was unconstitutional. I am desirous to show that the creation of a ramified chain of irresponsible patronage was the creation of an independent power within the state, incompatible with the independence of the Legislature; and that the proper depository of this patronage should be a Department of the Executive, presided over by a Minister, who should be responsible to the representatives of the people in Parliament, and to the people themselves at the hustings.

First, The conferring on the Boards of Trustees a fiscal power which the Municipal Councils had previously possessed, and which the Councils would not cease to claim as belonging to them by right, at the same time that it made the Boards independent of the Councils with respect to school funds, produced a latent antagonism, between the Councils and Boards of Trustees, which antagonism, as intended, has turned out practically to be an instrument in the hand of the Chief Superintendent. As a proof of which, all appeals and decisions, and all correspondence between the Boards of Common School Trustees and the Superintendent, and the action of either on local or general school matters, indicate an implied league offensive and defensive between them; but which is, in reality, subservient in a special manner to the purpose of the latter functionary.

Second, This instrument of the Chief Superintendent, appoints the Local Superintendents and examines and engages the teachers, by which means the Local Superintendents and the teachers are made indirectly agencies for the maintenance of the Chief Superintendent's influence.

Third, He is entrusted with the expenditure of a large amount of public money, which, in itself, by virtue of the patronage connected with it, has produced and maintains a complicated net work of convergent interests, all tending, in like manner, to add to his individual omnipotence. By reference to the Public Accounts of the Province the various sums, the expenditure of which brings influence to the Chief Superintendent are as follows :—I take the year 1855 in preference to any other, because what has been said, in the preceding pages, on Common School statistics, has had reference to that year. For salaries of officers (exclusive of salaries of Chief and Deputy and two Clerks,) and other contingent expenses of the Normal School, Toronto, £1,500; to facilitate the training of teachers £1,000; to procure plans and publications for the improvement of school architecture and practical science, £200; the Government grant, £24,642 10s. 6d.; further aid to the Normal School and for printing and distributing the Journal of Education, £1,000; for the purchase of books and specimens for a Canadian library and museum, £500; for aid to schools in new and poor townships, £500; for a fund for poor and worn out teachers, £500; for grammar schools, £7,483 10s. 0d.; for providing the Grammar and Common Schools with maps, and apparatus, £2,500; for a Model Grammar School, £1,000; for the payment of two assistant librarians, &c., £350; for the support and maintenance of superannuated teachers, £500; for the payment of the salary of the Inspector of Grammar Schools, £250; and for libraries, 3,500. These monies were paid to Dr. Ryerson in 1855, and the same amounts are paid to him every year, to be expended for the purposes specified. By looking

over the several items the different directions from which patronage may be secured will suggest themselves.

Fourth, The printing press, that mighty engine, made doubly more potent because wielded with an unsparing effusion of public money, has been placed at Dr. Ryerson's disposal. And by its use he has worked unceasingly to stifle enquiry, to prevent the expression of public opinion, and, moreover, has been able to impregnate the electoral constituencies to such an extent that he now holds a coercive influence over their representatives in the Provincial Legislature, and through the means of this coercive influence is able to intimidate the Executive.

Fifth, By the Common School act he is not responsible to Parliament. He is independent of the people's representatives. They cannot call him to account. Because the 34th clause of the Act ignores such responsibility.

Such is an outline of the concessions made, in 1850, by Lord Elgin to Dr. Ryerson, on the condition, that Dr. Ryerson should forthwith act as Lord Elgin's trumpeter. That the terms of the treaty have been fully carried out, on both sides, we have had too many manifestations. Lord Elgin has left us a legacy, in the person of a Chief Superintendent invested with power sufficient to control and intimidate the Legislature. And the question now is how to dispose of it. An *imperium in imperio*, is incompatible with responsible government and constitutional liberty. The irresponsible power exercised by Dr. Ryerson, should be placed in a responsible Department of the Executive Government. And this leads me to consider the constitution of such a Department and its duties.

The Department of Education should consist of a Minister of Public Instruction, who should be a member of the Legislative Assembly, or Legislative Council, and, being the head of a Department of the public service, should have a seat in the Executive Council; and a staff of District Inspectors, whose appointment should be non-political and therefore permanent.

The duties of the Minister of Public Instruction should be to manage the Government correspondence with all educational institutions receiving public aid: To apportion the public grants for education: With reference to the administration of the Common School Law, to conduct all correspondence concerning the Normal Schools already established, or for the erection of others;—to receive applications from any religious denomination, concerning the building of a separate Normal School; and if approved by the Governor in Council and exclusive of the cost of a site, to pay one half the cost of said building and outfit;—to approve or reject the appointment of the Principal of each Normal School;—to make out blank forms for the returns of

Normal and Common Schools, and for the returns of the District Inspectors; to cause the printing and distribution of the school law;—to disallow the use of any book in School that has a tendency to encourage disloyalty to Her Majesty's person and Government or to relax the attachment to the British constitution, or that has a tendency to encourage infidelity or indifferentism in religion;—to ascertain by the reports of the District Inspectors that the amount and quality of secular instruction prescribed by law is supplied in the Schools, and that their religious and moral government is consistent with the public well-being;—to ascertain through the same channel that the tuition fee paid by the children attending the School does not exceed the amount fixed by law;—to abstain from the propagation, officially, of theoretical and speculative dogmas on which public opinion is divided;—to attend to all business specified in the Common School Act pertaining to the Normal and Common Schools;—and to report annually how the business of the Department has been administered.

The duties of the District Inspectors, who might each have the inspection of a district of country extending over one or more counties, should be to visit the Common Schools, examine the Registers, and note the general condition of the educational work going on; also to inspect the Normal and Grammar Schools; to attend the meetings of the Boards of Examiners in each municipality, and to assist in the examination of teachers. They should correspond with the Education Office as occasion might require, and annually furnish a correct report to the Minister of Public Instruction.

By this, it will be seen that, the duties of the Education office and of the Minister would be strictly financial and inspectoral; and therefore could be best performed by a person of practical ability and ordinary business tact; of whom the present Administration contains many creditable examples.

In framing a new Common School Act, its provisions would require to be in accordance with the relative functions of the several school authorities specified in this letter and the one preceding. The tuition fee should be a fixed amount and sufficiently low not to press heavily on poor parents who have many children to educate. If deficient for the payment of teachers' salaries, the annual grant from the public revenue should be increased. The secular branches of education to be taught in the Common Schools, should be reading, writing, arithmetic, geography and Grammar; in short, such branches as are indispensable in the ordinary business of life. But besides these, and within certain limitations, good effects would result in various ways, from allowing the teachers, for an additional tuition fee, to give instruction on the globes and also in the rudiments of Latin and Greek. A minimum salary to the teachers should be fixed upon. Above that, the increase should be regulated by the average attendance exhibited

on the School Register of the preceding year. To encourage teachers to continue in the profession and improve their opportunities, a rule should be made, that those who have served a specified number of years and are otherwise competent shall have a preference in all vacancies where a Local Superintendent or District Inspector is required. Other provisions, which in the meantime have escaped my notice, may be necessary. Those mentioned here, are, however, the principal.

That a measure framed in accordance with the general principles here enunciated, however different in details, will become a law either during this or the next Session of the Provincial Parliament is uncertain. The probability is, judging from the general aspect which the Common School dissensions have assumed, that a change of some kind is immediate. Whatever that change may be, it will be found when it does take place, to consist in the assumption by the General Government and the Municipal Councils of the powers now vested in the Chief Superintendent and the Boards of School Trustees. Of this there can be no shadow of doubt. The only particular point of the measure which may be brought forward, and regarding the ultimate definite character of which there may be some doubt, is the classification of Common Schools under Protestant and Catholic distinctions, admitting only two classe of schools; or of denominational schools entitling each religious persuasion with the privilege of establishing and managing Separate Schools.

Denominational Schools I consider preferable, because they secure, directly, the co-operation of the clergy and the heads of families of the religious congregations. Without that co-operation no school can ever prosper; but it can be secured only by enlisting the sympathies of the clergy and congregations in the way I have specified, and throwing on them the chief measure of responsibility. But if the leading Protestant denominations should withhold their countenance from a measure favoring Separate Denominational Schools, then there can be but one course left for the Legislature to adopt, that is, to pass a law establishing Protestant Common Schools and Catholic Common Schools. Much as I should regret to witness the necessity of this alternative, still I can see no other way of putting an end to the otherwise interminable school dissensions and injustice with which the present law and its administration are replete. Something must be speedily done to make the School Law acceptable. In a population of 1,500,000 Protestants and 1,500,000 Catholics, none but a mad man or an inexperienced enthusiast could ever have dreamed of being able to make the one body hold the other in fetters. Lord Elgin cannot be accused of such imbecility. He acted from a different impulse. But setting aside the injustice, the intolerance of compelling Catholics to receive education on Protestant conditions, where was its practica-

bility? What data did Dr. Ryerson assume for his calculation, that he could make 1,500,000 Protestants rule 1,500,000 Catholics in school matters? Had he not before his eyes the failure of a somewhat similar attempt by Lord Durham to make the Protestants of Upper Canada coerce the Catholics of Lower Canada? Had he forgotten how the Rod forged by Lord Durham for this purpose was afterwards taken hold of and made use of by the Hon. L. H. Lafontaine to punish Upper Canada? And does he presume that no other Lafontaine will arise to vindicate the honor of Lower Canada and secure equal justice to Catholics? Look at the facts existing now, and those which existed at the time Dr. Ryerson managed to get into his present office, and mark the contrast. Then Protestants and Catholics were politically united. Whatever feuds existed were confined to particular localities in which the Orange Societies were predominant; and were attributable to previous animosities which had found their way into the Province from Ireland. But such a thing as a powerful and increasing Catholic organization, such as we now witness, had then no existence. It had not begun. It was not then thought of. Our present prospect is that the Protestant School Rod forged by Dr. Ryerson to coerce Catholics, contains its own antidote; that it will snuff out both Dr. Ryerson and his system, and be the means of establishing Catholic Schools free from Protestant control and interference. Like Lord Durham, Dr. Ryerson will find that he has calculated on wrong data and reasoned on false premises. He will find that he has been the means of damaging the Protestant cause; and that he is the greatest enemy which Protestantism has met with in Canada.

In bringing these letters to a close, permit me, Sir, to say that I submit them, with the greatest deference, to your superior practical judgment, and that the only motive by which they have been dictated is a desire to relieve the General Government, and the Municipal Councils, and the members of the Legislature, as well as the Catholic population and a numerous body of Protestants, from the gigantic and pernicious political influence which is exercised in the administration of the present Common School Law.

I have the honor to be, Sir, &c., &c.

A PROTESTANT.

Toronto, April 7, 1857.